PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	Examiner: Karen L. Le
Aloke Gupta	)	
	)	Art Unit: 2642
Serial No.: 09/915,414	)	
	)	
Filed: July 25, 2001	)	
	)	
For: BUTTONLESS COMMUNICATION	)	
DEVICE WITH TOUCHSCREEN DISPLAY	)	
	)	
Date of Last Office Action:	)	Attorney Docket No.:
March 24, 2005	)	10005010-1
	)	
	)	

June 24, 2005

37 CFR § 1.131 DECLARATION OF PRIOR INVENTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is a Declaration of Prior Invention under 37 CFR § 1.131 from the inventor, Aloke Gupta, and one supporting Exhibit.

Docket No. 10005010-1

37 CFR § 1.131 DECLARATION OF PRIOR INVENTION

I, ALOKE GUPTA, declare as follows:

1.   I am the inventor of the invention described and claimed in U.S Patent Application entitled "Buttonless Communication Device With Touchscreen Display", assigned Serial No. 09/915,414 and filed on July 25, 2001 (hereinafter "the present application").

2.   I understand the claims of the present application have been rejection based on U.S. Patent No. 6,636,203 to Wong et al. (hereinafter "the Wong Patent"), which was filed on May 17, 2001.

3.   The invention described and claimed in the present application was conceived by me prior to the effective date of May 17, 2001 of the Wong Patent as evidenced by the following facts, which are of my own knowledge:

(a)   Attached hereto as an exhibit is a copy of an Invention Disclosure entitled "Buttonless cellular phone/module" that was prepared by me and was submitted to Hewlett-Packard Legal Department as evidenced by the "Initiator Date" of May 17, 2000 and the "Date/Time Docketed" of July 3, 2000. These dates appear at the top of page 1 of the exhibit.

(b)   The exhibit on page 2 describes an interface for a cell phone/PDA type device that allows an individual to press a keypad on a display to enable dialing. Page 3 of the exhibit, in section 7, describes a display having icons and having a keypad number scheme displayed, and a phone number can be entered. Thus, the claimed subject matter of the present application is supported by the Invention Disclosure.

(c)   Therefore, I conceived the invention of the present application at least prior to May 17, 2000 and since the present application was filed in about a year from this date, I was

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diligent in the filing of the present application by actively working with patent counsel to prepare and file the present application.

4.   I declare under laws of perjury that the foregoing is true.

Date   6/17/2005   _Aloke Gupta_.
                                                Aloke Gupta

Disclosure Number:	10005010	Patent Coordinator:	Diane Hammerstad
Date/Time Docketed:	7-3-00	Functional Mgr:	Ken Crangle
Attorney:	R.A. Jenski	Initiator(s):	Aloke Gupta
Entity/Division: (i.e. DMS/PMO)	DMS / DPS	Initiator Date:	05/17/00

For Legal Department Use Only

1. What is the Descriptive Title of your Invention?

Buttonless cellular phone/module

2a. Name of Project:

2b. Product Name or Number:

3. Who are the Inventors?

Full Name (i.e. John S. Doe)	Greeted as (Nickname)	Employee #	Div. (i.e. DPS,, PXD)	Work Phone	Mail Stop #	Home Address/ Mailing Address (If different)	Citizen -ship
Aloke Gupta	Aloke	308340	PMO	541.715.8671	123E	3630 Twinberry Place Corvallis, OR 97330	India

4. What is the Legal History of your Invention?

Legal Question	Y/N	When?	Who/What/Where?
Invention Workable?	Y		
Invention Witnessed?	N		
Invention Publicly Disclosed?	N		
Invention Disclosed under CDA?	N		
Invention in a Present/Future Product/ Project?	N		
Invention Under Government Contract?	N		

5. What is the Licensing Value of your Invention?

Licensing Value Question	*Answer*
In 25 words or less, what problem does your invention solve?	Consumers prefer cell phones that are very compact. This leads to a design challenge of minimizing key size to allow for large screens for wed browsing and other activities. This would allow a PDA or other wireless device to double as a cellular telephone, without a designated keypad.
Has this problem been solved before? If so, how?	N o There are cell phones that have web-wireless capabilities, but they all have dedicated keypads that have external buttons. Split cell phone designs, like the Nokia 9000il, where the user has a display on the inside.
In 25 words or less, how did you solve the problem?	Created an interface for the PDA type device that allows an individual to press the keypad on the display to enable dialing. The displayed keys may be raised to enable a tactile response.
Why is your solution better than other solutions?	It uses less real estate on an already small device; additionally, the screen could be reconfigurable.
Why would our competitors want to use (and pay us for) your solution?	This would help to increase the capabilities of the PDA devices without increasing the size of these devices.
How could you detect that someone else was using your invention?	Observation
What is the best "prior art" you know of?	Check Japanese Wireless Devices

6. Enter the detailed description of the problem and your solution below. Include any other information (drawings, graphs, flowcharts, code, notebooks, etc) that will help make your invention more understandable.
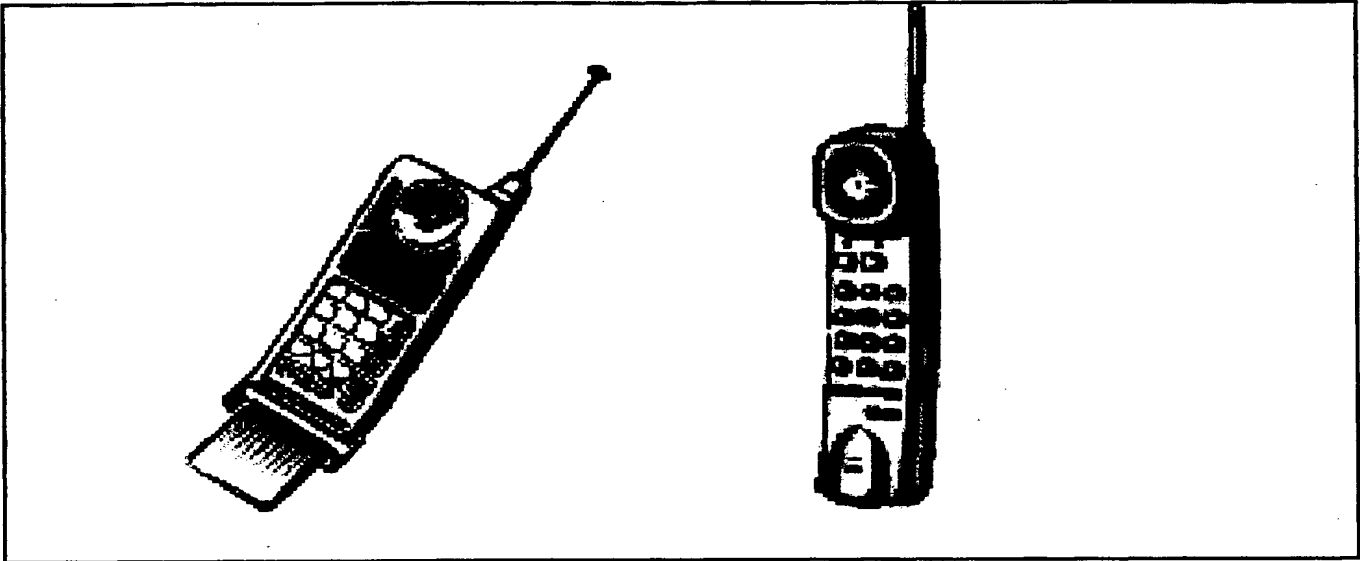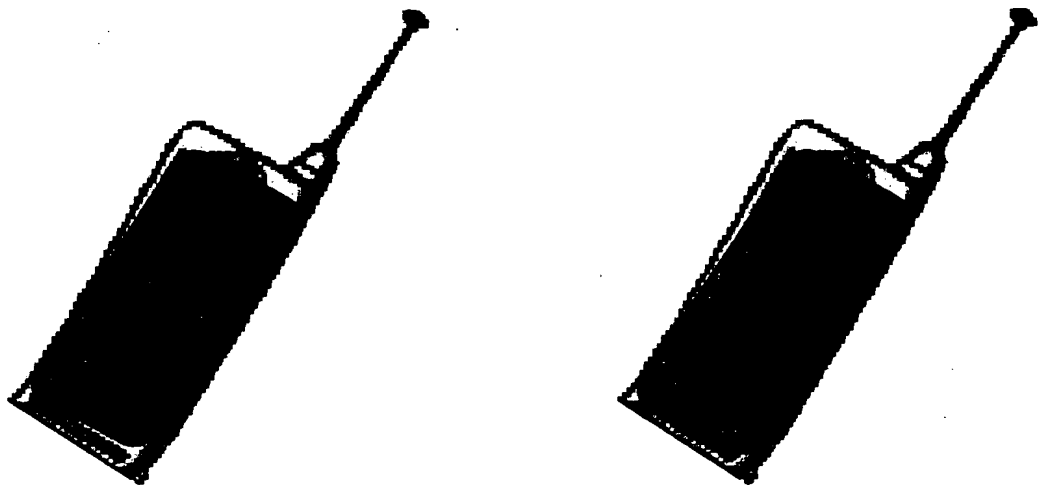
Problem:

Touch pad keys take up too much space on wireless devices. The smaller the keys get, the more difficult it is to insure that the proper keys are being enabled. Example 1 shows keys using extensive real estate.

Example 1

7. Please provide copies of your signed and dated lab notebook pages.
Solution:

Use the entire real estate to display content. This display could have icons that toggle you to different interfaces that enable different functions. In the example 2, below, a phone icon appears, when depressed, a keypad number scheme is displayed, and a phone number can be entered. To insure proper keying, an audible response to your keystroke could be enabled. The actual acceptance of the number entered may not be realized until the subsequent number is entered, thus allowing the user to correct numbers that may have been mis-entered. As with standard cellular phones, a send button would be required to initiate the call.

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